

**REMARKS**

This is a full and timely response to the Non-Final Office Action dated September 8, 2005. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

**I. Allowable Subject Matter**

The Office Action indicates that claims 19-29 and 48-58 are allowed. Further, Applicants appreciate Examiner's indication that claims 2-12, and 31-41 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 2 and 31 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims; thus, claims 2 and 31 along with their respective dependent claims 3-12 and 32-41 are allowable and the objection should be withdrawn.

**II. Response to Claim Rejections Under 35 U.S.C. §103**

Claims 1, 13, 14, 17, 18, 30, 42, 43, 46, and 47 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,809,070 to *Krishnan, et al.* in view of U.S. Patent No. 6,327,264 to *Terry, et al.* Applicants respectfully traverse the rejection and submit that the rejection under §103 should be withdrawn for any of the following reasons.

**A. Claims 13 and 42**

Claim 13, as amended, recites:

A multiple digital subscriber line (DSL) communication system, comprising:

means for communicating with customer premises equipment to receive an upstream data transmission;

means for distributing a portion of the received upstream data transmission to each of a plurality of DSL communication links for transmission via serially connected DSL transceivers in communication with each other;

means for receiving a portion of a downstream data transmission distributed across each of the plurality of DSL communication;

means for combining the portions of the downstream data transmission such that the downstream data transmission is reconstructed via serially connected DSL transceivers in communication with each other;

*means for configuring the rate of the upstream and downstream data transmission being driven by the last DSL transceiver that is farthest from a customer interface, with the rate of the upstream and downstream data transmission between two previous DSL transceivers being derived from the rate of the upstream and downstream data transmission of the subsequent DSL transceiver; and*

means for communicating the reconstructed downstream data transmission to the customer premises equipment.

*(Emphasis Added)*

Claim 42, as amended, recites:

A multiple digital subscriber line (DSL) communication system, comprising:

means for communicating with central office equipment to receive a downstream data transmission;

means for distributing a portion of the received downstream data transmission to each of a plurality of DSL communication links for transmission via serially connected DSL transceivers in communication with each other;

means for receiving a portion of an upstream data transmission distributed across each of the plurality of DSL communication links;

means for combining the portions of the upstream data transmission such that the upstream data transmission is via

serially connected DSL transceivers in communication with each other;

*means for configuring the rate of the upstream and downstream data transmission being driven by the last DSL transceiver that is farthest from a customer interface, with the rate of the upstream and downstream data transmission between two previous DSL transceivers being derived from the rate of the upstream and downstream data transmission of the subsequent DSL transceiver; and*

*means for communicating the reconstructed upstream data transmission to the central office equipment.*

*(Emphasis Added)*

Applicants respectfully submit that *Krishnan* in view of *Terry* fails to disclose, teach, or suggest the feature of “means for configuring the rate of the upstream and downstream data transmission being driven by the last DSL transceiver that is farthest from a customer interface, with the rate of the upstream and downstream data transmission between two previous DSL transceivers being derived from the rate of the upstream and downstream data transmission of the subsequent DSL transceiver”, as recited in claims 13 and 42.

In fact, *Krishnan* discloses that “the link control software running on processor 22 must know how many modems are ‘downstream.’ ... By determining the number of downstream modems, each multilink modem in the daisy chain can determine how to partition outgoing data for transmission over the PSTN links.” (Col. 4, lines 18-44 of *Krishnan*). However, *Krishnan* fails to disclose that the rate of transmission is driven by the last DLS transceiver that is farthest from a customer interface and that the rate of the upstream and downstream data transmission between two previous DSL transceivers being derived from the rate of the upstream and downstream data transmission of the subsequent DSL transceiver. An advantage of the claimed features, among others, is that the negotiation for rate of transmission among the DLS transceivers may be avoided (the present application on page 21, lines 20-28).

"*Krishnan* does not explicitly teach [that] the customer computer has a customer interface." (Office Action, page 3). In this regard, *Terry* teaches [that] the customer computer (14 in Fig. 3) is coupled to a customer interface (30), and further suggests that the customer interface may be a permanent part of the customer computer (note col. 6, lines 59-63)." Consequently, because *Krishnan* in view of *Terry* fails to disclose, teach, or suggest the above-emphasized features, as recited in claims 13 and 42. Applicants respectfully request that claims 13 and 42 be allowed and the rejections be withdrawn.

***B. Dependent Claims***

Applicants submit that the objection to dependent claims 14, 17-18, 43, and 46-47 is rendered moot in light of any of the arguments made above and, therefore, dependent claims 14, 17-18, 43, and 46-47 are allowable as a matter of law for at least the reason that claims 14, 17-18, 43, and 46-47 contain all the features and elements of their corresponding independent claims 13 and 42.

***C. Claims 1 and 30***

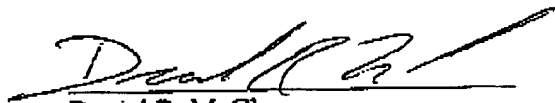
Claims 1 and 30 have been rejected under 35 U.S.C. §103(a) as alleged in the Office Action. In view of the cancellation of claims 1 and 30, the §103(a) rejections of those claims are rendered moot.

**CONCLUSION**

Applicants respectfully submit that all claims are now in proper condition for allowance, and respectfully request that the Examiner pass this case to issuance. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

No fee is believed to be due in connection with this amendment and response to Office Action. If, however, any fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 20-0778.

Respectfully submitted,



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